

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-123

BRIAN A. GALSTON,

Defendant.

ORDER GRANTING MOTION TO ADJOURN AND EXCLUDING TIME

Defendant Brian Galston is charged with Possession of a Firearm by a Felon in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). He is currently scheduled for a Change of Plea hearing on January 22, 2020. The Government has filed a Motion to Adjourn the plea hearing for approximately 45 days. The defendant's attorney joins in the request. The grounds of the motion state that the defendant has made several suicide attempts and is receiving treatment at MCC Chicago. Given the mental health concern and the physical health concerns resulting from his efforts to end his life, both parties believe that the defendant is not prepared to enter a plea and, in fact, requests additional time to assess his mental illness and his ability to enter a plea. Based upon the foregoing, the court concludes that the motion should be granted. Any delay resulting from the granting of this motion is excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). In particular, the court finds that, in light of the defendant's mental and physical health problems, the interests of either the public or the defendant in a speedy trial are outweighed by the need to allow the defendant and his attorney to assess his present condition and determine whether he is able to proceed. The additional time will allow for the stabilization of his health.

Accordingly, the motion is granted and the Clerk is directed to confer with counsel and set this matter for further proceedings in approximately 45 days.

SO ORDERED at Green Bay, Wisconsin this 21st day of January, 2020.

s/ William C. Griesbach
William C. Griesbach, District Judge
United States District Court